

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

TERRANCE C. HENDERSON,  
Petitioner,

**-VS-**

RICHARD HALL, WARDEN,  
Respondent.

Case No.1:09CV2058

# O R D E R

Judge Christopher A. Boyko

On September 3, 2009, Petitioner filed a *pro se* Petition for Writ of *Habeas Corpus* pursuant to 28 U.S.C. § 2254 (Dkt. # 1). The case was referred to Magistrate Judge Greg White pursuant to Local Rule 72.2 (Dkt. # 7). On April 30, 2010 Petitioner filed a Motion for Leave to Dismiss (Dkt. # 17). On June 4, 2010 , the Magistrate Judge recommended that Petitioner's Motion for Leave to Dismiss be granted and Petitioner's application for habeas corpus be dismissed (Dkt. #19).

FED. R. CIV.P. 72(b) provides that objections to a Report and Recommendation must be filed within fourteen (14) days after service, but Respondent has failed to timely file any such objections. Therefore, the Court must assume that Respondent is satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, Magistrate Judge White's Report and Recommendation is **ADOPTED** and Petitioner's Motion for Leave to Dismiss Without Prejudice is granted, and the Writ of *Habeas Corpus* is **DISMISSED**.

Furthermore, the court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. §2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

Dated: 6/21/2010

S/Christopher A. Boyk  
CHRISTOPHER A. BOYKO  
UNITED STATES DISTRICT JUDGE